IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 17th day of December ,2002

Criminal Misc. Bail Application Number. 868 of 2002

Order on the Bail Application

CRIMINAL SIDE

Jai Prakash son of Sri Gopi Ram, Resident of village Ramgarh, Shishambara, Police Station Kotwali, District Dehradun

……..……..Applicant(s)

Versus

State of Uttaranchal. ……Opposite Party.

Arising out of- Case Crime No. 12/236 of 2002,
Under section 302 of I.P.C.,
Police Station Kotwali,
District Dehradun

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and Sri H.C. Pande, learned A.G.A.

There is evidence of extra-judicial confession against the applicant-accused. Besides this, the factum regarding extra-judicial confession find place in the F.I.R. itself. Perusal of the postmortem report support the prosecution version because the ligature mark on the neck was about 12 cms. wide apparently indicating that it was not a case of self hanging. Considering this, it is not a fit case for bail.

Rejected.

(Irshad Hussain, J.)

17.12.2002/B.